

### DETAILED ACTION

1. The applicant's amendment filed 5/15/09 has been received. Claims 1-3, 5-11, 13-19, 21-26, 28-34, 36-42, 45-49, and 52-53 are pending in the application. Claims 4, 12, 20, 27, 35, 43-44, 50-51, 54-92 have been canceled.
2. Claims 1-3, 5-11, 13-19, 21-26, 28-34, 36-42, 45-49, and 52-53 are allowable over the prior art of record.
3. The reissue oath/declaration filed 2/9/07 with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application. See 37 CFR 1.175(a)(1) and MPEP § 1414. The Supplemental declaration filed 2/9/07 does not specify an error. It appears that the only error that reissue application desires to correct is corrected by the presentation of claims that are all narrower than one or more broader patent claims (the original independent claims 1,7,8,17,23,24,30,31,40,and 47 was modified in the amendment, dated 2/11/08 to include limitations of canceled dependent claims). Thus, the specific error should state that the error relied upon in the reissued oath/declaration is correcting the error of claiming "more than" the patentee had a right to claim; see MPEP 1402.
4. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

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A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (571) 272-4189. The examiner can normally be reached on Monday and Thursday from 8:45am to 5:15. The examiner can also be reached on alternate Friday

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reginald Bragdon, can be reached on 571-272-4204. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Denise Tran/

Primary Examiner, Art Unit 2189